

REMARKS

Summary

Claims 1, 2, 6, 8-12, 14, 15 and 19 stand in this application. Claims 3-5, 7, 13 and 16-18 have been canceled without prejudice. Claims 1, 10 and 15 have been amended. No new matter has been added. Favorable reconsideration and allowance of the standing claims are respectfully requested.

Although Applicant disagrees with the broad grounds of rejection set forth in the Office Action, Applicant has amended claims 1, 10 and 15 in order to facilitate prosecution on the merits.

Claim Rejections – 35 U.S.C. § 112

Claims 3-6 and 17 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses this rejection. Applicant submits that claims 2-5 and 17 have been canceled as suggested in the Office Action. Claim 6, however, has not been canceled because this claim clearly relates to a microcode sequenced hardware parser as illustrated at least in FIG. 5. Consequently, withdrawal of the § 112 rejections is respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1-2, 8-9, 15 and 19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,904,057 to Sarkinen (“Sarkinen”). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the anticipation rejection.

Applicant respectfully submits that to anticipate a claim under 35 U.S.C. § 102, the cited reference must teach every element of the claim. *See* MPEP § 2131, for example. Applicant submits that Sarkinen fails to teach each and every element recited in claims 1-2, 8-9, 15 and 19 and thus they define over Sarkinen. For example, with respect to claim 1, Sarkinen fails to teach, among other things, the following language:

a hardware-based parsing module to connect to said configuration module, said parsing module comprising a microcode sequencer configured to use mask and compare data to decode field types in a received frame of information to determine a frame format associated with said frame, retrieve configuration information corresponding to said frame format, and reconfigure a set of hardware elements to parse said frame based on the retrieved configuration information and based on microcode information from a microcode module.

According to the Office Action, this language is disclosed by Sarkinen at columns 10 and 11 and figures 3 and 4. Applicant respectfully disagrees.

Applicant respectfully submits that claim 1 defines over Sarkinen. Sarkinen, arguably, teaches a method and apparatus for providing multi-protocol, multi-stage, real-time frame classification. More particularly, Sarkinen teaches the execution of software parsing instructions or the execution of software parsing macros to parse a frame. Applicant submits that this is different than the above recited language of amended independent claim 1 that requires the reconfiguration of hardware elements to parse a frame. Furthermore, Applicant submits that they have been unable to locate any teaching in Sarkinen directed to a parsing module comprising a microcode sequencer configured to use mask and compare data to decode field types in a received frame of information to determine a frame format associated with said frame as required by amended independent claim 1.

Applicant respectfully submits that they have also been unable to locate any teaching in Sarkinen directed to a separate microcode module as required by amended independent claim 1. Moreover, Sarkinen fails to teach the parsing module to configure a set of hardware elements to parse a frame based on microcode information from the microcode sequencer. The Office Action and the Response to Arguments merely state that Sarkinen teaches configuring a set of hardware elements because the parsing engine includes a search/lookup engine. Applicant submits that a mere statement to this effect does not rise to the level of a teaching of an actual reconfiguration of hardware elements as required by claim 1. Applicant submits that they have been unable to locate and the Office Action has failed to point to a specific citation in Sarkinen that indicates that any

hardware elements are reconfigured to perform the parsing as required by amended independent claim 1.

Applicant submits that Sarkinen does not disclose or suggest that hardware elements are reconfigured to parse a frame. Sarkinen appears to be a software-based parser. The Office Action alleges that “hardware elements within 410 and 440 in Fig. 4 must be reconfigured in order to provide multi-stage parsing,” without any support from the specification that any such reconfiguration is taking place. Sarkinen does teach that instruction memory generates instructions for the parsing engine (Sarkinen, col. 12, lines 55-56). Applicant submits that simply generating instructions, as arguably taught by Sarkinen, is clearly different than reconfiguring a hardware element as required by claim 1. Therefore, Sarkinen fails to teach each and every element of amended independent claim 1.

Applicant respectfully submits that amended independent claim 1 defines over Sarkinen and that Sarkinen fails to disclose all the elements or features of the claimed subject matter. Accordingly, Applicant respectfully requests removal of the anticipation rejection with respect to claim 1. Furthermore, Applicant respectfully requests withdrawal of the anticipation rejection with respect to claims 2 and 8-9, which depend from claim 1 and, therefore, contain additional features that further distinguish these claims from Sarkinen.

Claim 15 has been amended to recite features similar to those recited in claim 1. Therefore, Applicant respectfully submits that claim 15 is not anticipated and is patentable over Sarkinen for reasons analogous to those presented with respect to claim 1. Accordingly, Applicant respectfully requests removal of the anticipation rejection with respect to claim 15. Furthermore, Applicant respectfully requests withdrawal of the anticipation rejection with respect to claim 19 that depends from claim 115, and therefore contains additional features that further distinguish this claim from Sarkinen.

Claim Rejections - 35 U.S.C. § 103

Claims 10 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over European Patent Publication No. EP0852448 to Korpela (“Korpela”) in view of Sarkinen. Claims 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Korpela in view of Sarkinen, and further in view of United States Patent No. 7,184,722 to Johnson (“Johnson”). Applicant respectfully traverses the rejections, and requests reconsideration and withdrawal of the obviousness rejections.

As recited above, Applicant submits that Sarkinen fails to disclose each and every element recited in independent claim 1. Applicant submits that claim 10 has been amended to recite features similar to those recited in claim 1. Furthermore, Applicant submits that Korpela fails to remedy the above identified deficiencies of Sarkinen. Therefore, the combination of Sarkinen and Korpela fails to teach or fairly suggest all of the elements of independent claim 10. Furthermore, claims 11, 12 and 14 depend from claim 10 and contain additional features that further distinguish these claims over the cited references. Moreover, Applicant submits that Johnson fails to remedy the above identified deficiencies of Sarkinen and Korpela. Therefore, Applicant submits that claims 11, 12 and 14 define over the cited references, taken alone or in combination. Consequently, withdrawal of the § 103 rejections with respect to claims 10, 11, 12 and 14 is respectfully requested.

Conclusion

It is believed that claims 1, 2, 6, 8-12, 14, 15 and 19 are in condition for allowance. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

Applicant does not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the limitations of the independent claims and dependent claims discussed above. Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the claims from the cited references, taken alone or in combination, based on additional features contained in the independent or dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

The Examiner is invited to contact the undersigned at 724-364-3245 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to deposit account 50-4238.

Respectfully submitted,
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Andrew H. Aurand, Reg. No. 61,875
Under 37 CFR 1.34(a)

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